Rt. 12, Frederick, Md. 21701
9/13/75

Dear Bud,

Yesterday Jim told me to expect a call from you about McDonald. You appear to have referred to a letter I wrote you about this several months ago. When you did not respond I presumed you had no interest. I have no special interest in McDonald so he and what I wrote have been out of my mind.

My purpose in taking that time was to alert you to the possibility that publication of anything like that which I read for a publisher can mean serious troubles, including for you personally and in several ways. I have no initiative in this, no interest in taking any and had in mind no more than alerting you so you might do whatever you saw fit to learn more and take steps to protect yourself.

I have no other purpose in taking this time now when you did not call. I do because Jim says the book is to be published by something called Zebra. I know there was some kind of parlay dea l involving this outfit but was under the impression that when the money part of that deal, for the ancillary rights, fell through Zebra's contract also ended.

I recalled your asking me about this years ago and my telling you then it had to be a complete fake. That, it turns out, was an understatement. It is a gross and obvious fraud and is libellous to boot. Three identifiable people are libelled. Two are alive. The third has four close survivors and those who were dear and close friends at least one of whom would willing finance litigation.

Your personal involvement that worried me for you was as recent as the UCLA gathering of nuts. You were then represented as McDonald's attorney, you were then phoned from a private gathering (was it by O'Toole) and after this call all those you know fell entirely silent on the subject.

I have no interest in the McDonald book, either way. I can visualize conditions under which its publication could be good for me. I would prefer that it not be published because like virtually 100% of that utter insanity that permeates all those who crave and achieve attention it represents not a boiling pot but a witches cauddron. (I have in mind the figure I used in the introduction to Photographic Whitewash, the part Garrison cribbed so effectively and the line over which he always broke up.) I can't make the irrational rational and I can' stop this sickness. If I were selfish I'd encourage it because it is gradually ruining the reputations of all involved. Without solitication much of this attitude on the Hill and in the press gets back to me.

There are many who know the real identities of these libelled ones in a book that anyone who has read half of the Warren report with his better eye closed and his kind half shut ought to know is a total and complete impossibility. I can't visualize even a defense of no intent to commit fraud. In any event, McDonald was specific on those of whom he gave false names to two. I was not the only one present. I was also consulted by others on this. And I did some checking. So it is fairly well know that I have specific knowledge and were I to be unwilling to testify, a situation I do not anticipate, I'd be subject to subpoena. Against a monster like McDonald I'd be happy to testify. But I'd have no choice.

This is a great simplification. The actual situation is much worse. There can also be federal charges (and these I would not do anything to attract). There are other possibilities.

If there is no litigation you risk losing what reputation you have in critical circles because of this connection with a book that is based on a spurious confession stipulating what a child should recognize as as impossible as anything can be. How your hackles and Bob Smith's did not rise on mere glance I'll never understand.

I can't undo any of this. I think it likely that on publication, if in fact the junk is to appear, some in the media will ask my opinion. This does not involve your name but I'll repond honestly.

You ignored my warning of months ago. There now is nothing I can do about that.

If all of this borders on the rabid, perhaps the craziest part of all is persistence on publication after a mass-circulation publication checked the book out and found it to be fraudulent. If they do a story can you imagine the results? If I were the editor, what a story there would be. In fact, if the book does appear I may even propose that I write a story if they'd pay. I doubt they'd do this because their own people did their own checking.

Believe me or not there is no innocence in this for anyone.

You may know who commissioned me initially. I felt later when called upon for another consultation and then asked from whom I had this first commission to obtain a release from that obligation. I asked and it was refused. So I cannot give that name.

If there is anything else you want to know to the degree I can help you I will.

I hope I'm wrong but if this thing does come out and does get any attention I think the boiling of that pot can burn you. So can others of which I know. How many there are pf which I don't know I can't imagine.

I can't make a special trip to Washington on this. The bus is trouble and expense and I have to conserve the miles left in my old car.

Ernie Louser was here day before yesterday, not for his ostensible purpose and not for any professional or traditional or proper scripting of an interview by Rather to which I felt I had to agree. I stipulated that it be at no cost to me. He agreed. He intends trouble and dirty tricks. He indicated them only about you but about Livingston he was specific and I don't see how you can depend on this not tarring you. I notified Jim as soon as I could. He asked me to write Ray and Livingston. I did yesterday. I then had to go into town for Lil. In my absence Jim phoned back to say it was too late with Livingston. I presume this means he was recorded on film. Had I stopped to think of this I'd have assumed they'd have had Ed Rabel do it. He covers that territory for them, covered the hearing and interviewed Jerry, including on are you CIA and did t e CIA off King. All very helpful, no doubt.

I wanted to tape the Leiser meeting, wanted him to, had two tape recorders ready and made the offer he declined. If I had not felt it would be worse not to agree I d not have agreed. As I remember it he asked me about you how you got me involved in all of this. It was in an "all of this" sense. I told him it was the other way around and he asked no further question. Not one.

You also came up when he was asking why Jim does all the work when you are chief counsel. My response was that Jim is just starting in practise but you have many clients to whom you also owe obligations and that you have to serve their interests, too. These two were not off the record. However, it seems clear that they are going off on a conflict between counsel kick. Where I did address that it was off the record and was not extensive. What the hell could I say about Bob's insanity (I did not ,ention any partin this that you had, like Detroit, and he didn't) or when he went into that pistol bit? Most of what I said on this had to do with me. That I'd not met or exchanged letters with Ray until after Frame-Up was printed. That I have no plans and never had any plans for any further writing on this subject but separated that from what I regard as literary rights that are mine whether or not I use them. That while I think the crime can be solved I have nit undertaken it. That my interest is in meeting my obligations as defense investigator as best limitations permit.

You told me nothing about your meeting with him so if there was any warning you could have given me I did not have it.

I have asked Jim to be with me when Rather interviews me and to be prepared to tape all the interview unless they will provide a tape or a transcript of the whole thing. I've been on a few cutting-room floors already. This interview will be here unless they provide me with transportation. I did tell Leiser that CBS paid him, not me, and that I was not about to subsidize them.

If you want to know more about this let me know. If you still have any cautions or advice prior to the inteview I'd like to have them. I do not look forward to this, do not want it, have the deepest misgivings about the entire project, but fear that any course other than the one I've taken based on what I know and limited by what I do not know is the greater danger. Sincerely,